

02-08-01

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Attorney Docket No.: E1067/20025  
Customer No. 03000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicants : Joseph Gross and Haim Danon  
Serial No. : Divisional Application of ASN  
09/202,176 filed on June 1, 1999  
Filed : February 6, 2001  
For : METHOD OF MAKING NEEDLE FOR  
SUBCUTANEOUS DELIVERY OF  
FLUIDS  
Group Art Unit : 3763  
Examiner : Manny Mendez

10962 U.S. PTO  
09/778268  
02/06/01

REQUEST FOR FILING A CONTINUING APPLICATION  
UNDER 37 CFR §1.53(b)

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**THIS IS NOT A CPA NOR AN RCE; PLEASE DO NOT ABANDON THE PARENT  
APPLICATION, NAMELY, A.S.N. 09/202,176.**

This is a request for filing a divisional application under 37 CFR §1.53(b), of pending prior A.S.N. 09/202,176 filed on June 1, 1999 for NEEDLE FOR SUBCUTANEOUS FLUID DELIVERY.

Enclosed is a copy of the prior application which was filed under 35 USC §371 (see PCT/IE97/00041), including the Declaration as originally filed.

02/06/01  
01025 U.S. PTO

09778268-020601

#5  
Pres  
Amend  
A

**Before calculation of the filing fee, please cancel Claims 1 - 15 and 19 - 24.**

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED	NUMBER EXTRA		RATE	BASIC - \$ 710 FEE
Total Claims	<u>3</u>	- <u>20</u>	= 0	x \$18	\$ 0
Independent claims	<u>1</u>	- <u>3</u>	= 0	x \$80	<u>\$ 0</u>
Total Filing Fee					\$ 710

The Commissioner for Patents is hereby authorized to charge any fees which may be required, and to credit any overpayment to Account No. 03-0075. A duplicate copy of this sheet is enclosed.

Seven (7) sheets of drawings are enclosed.

The Power of Attorney in the prior application is to Marla J. Church (Reg. No. 29,908), Mary L. Severson (Reg. No. 34,927), and Kathleen M. Lynch (Reg. 33,957). The Associate Power of Attorney in the prior application, **and to which all correspondence from the United States Patent and Trademark Office should be directed**, is to Alan H. Bernstein (Registration No. 19,315); Stanley H. Cohen (Registration No. 20,235); Manny D. Pokotilow (Registration No. 22,492); Barry A. Stein (Registration No. 25,257); Martin L. Faigus (Registration No. 24,364); Eric S. Marzluf (Registration No. 27,454); Robert S. Silver (Registration No. 35,681); Scott M. Slomowitz (Registration No. 39,032); Michael J. Berkowitz (Registration No. 39,607); David M. Tener (Registration No. 37,054); James J. Kozuch (Registration No. 39,733), Frank M. Linguiti (Registration No. 32,424), Gary A.

Greene (Registration No. 38,897); Marilou E. Watson (Registration No. 42,213); Michael J. Cornelison (Registration No. 40,395); and Christopher Marrone (Registration No. 46,101); care of Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., 12th Floor, Seven Penn Center, 1635 Market Street, Philadelphia, PA 19103-2212. A copy of the Associate Power of Attorney is enclosed herewith.

The prior application is assigned to Elan Medical Technologies and was recorded on July 17, 1999 under Reel 010119/Frame 0013.

A Preliminary Amendment is enclosed.

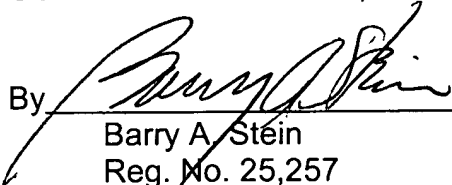
The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

February 6, 2001

By

  
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Attorney Docket  
Customer No.

E1067/20025  
03000

Date: February 6, 2001

**PATENT APPLICATION**

**AMENDMENT TRANSMITTAL**

In re the Application Joseph Gross and Haim Danon

Application No.: Divisional of 09/202,176  
Filed: February 6, 2001

Group Art Unit: 3763  
Examiner: Manny Mendez

jc962 U.S. PRO  
09/778268  
02/06/01

For: METHOD OF MAKING NEEDLE FOR SUBCUTANEOUS DELIVERY OF FLUIDS

Commissioner for Patents  
Washington, D.C. 20231

- Sir:
- ☒ Transmitted herewith is an Amendment in the above-identified application.
  - ☐ A verified statement to establish small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.
  - ☐ Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
  - ☒ The filing fee has been calculated as shown below:

	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE	$\frac{O}{R}$	RATE	ADD'L FEE
TOTAL CLAIMS	3 MINUS	** 20	= 0	x 9	\$		x 18	\$ 0
INDEP CLAIMS	1 MINUS	*** 3	= 0	x 40	\$		x 80	\$ 0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				135	\$		270	\$ 0
					\$			\$ 0

\* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" in this space (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

The Commissioner is hereby authorized to charge payment of any further filing fees under 37 C.F.R. §1.16 for presentation of extra claims or credit any overpayment to Deposit Account No. 03-0075. A duplicate copy of this sheet is attached if any fees are calculated to be due.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN  
COHEN & POKOTILOW, LTD.

By

Barry A. Stein  
Reg. No. 25,257

Applicants : Joseph Gross and Danon Haim  
Invention : METHOD OF MAKING NEEDLE FOR SUBCUTANEOUS  
DELIVERY OF FLUIDS

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This is a divisional patent application which includes the following:

1. Request for Filing a Continuing Application Under 37 CFR §1.53(b), in duplicate
2. Preliminary Amendment and Transmittal Letter, in duplicate
3. Photocopy of Declaration and Power of Attorney for Patent Application from parent ASN 09/202,176
4. Photocopy of Associate Power of Attorney
5. Photocopy of parent application as filed under 35 USC §371, ASN 09/202,176 (PCT/IE97/00041) – 22 pages
6. 7 sheets of drawing from parent ASN 09/202,176
7. Return Receipt Postcard

"Express Mail" Mailing Label No. EL 781 454 238 US

Date of Deposit **FEBRUARY 6, 2000**

I hereby certify that the above-identified documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, ATTN: Box Patent Application, Washington, D.C. 20231

Diana Jimenez